

**Mission**

The office of the District Attorney is created under Chapter 978, Wisconsin Statutes. This department represents the people of the State of Wisconsin and County of Waukesha in the courts. The District Attorney and staff prosecute state criminal matters, forfeiture actions, state and county traffic code and ordinance violations, Department of Natural Resource violations, juvenile, domestic abuse, and harassment cases. The Office of the District Attorney also attempts to educate the public through various conferences, programs, or outreach efforts to the community in order to educate them regarding the criminal justice system and the responsibility of the District Attorney. In addition, the District Attorney also operates the Victim/Witness Program which provides support to victims and witnesses of crime in compliance with Wisconsin law and the Wisconsin Constitution.

The primary purpose of the Victim/Witness Program is to provide information, referral and support to citizens and law enforcement officers of Waukesha County who have been victims of or witnesses to crimes, and to ensure that the services mandated under Chapter 950, Wisconsin Statutes, are made available to them. To achieve that end, the Victim/Witness staff and its volunteers maintain continuous contact with victims and witnesses to update them on case progress in the criminal justice system.

**Financial Summary**

	2002 Actual	2003 Adopted Budget	2003 Estimate	2004 Budget	Change from 2003 Adopted Budget	
					\$	%
<b>General Fund</b>						
Personnel Costs	\$1,356,605	\$1,506,605	\$1,486,582	\$1,566,887	\$60,282	4.0%
Operating Expenses	\$393,543	\$436,748	\$384,373	\$365,728	(\$71,020)	-16.3%
Interdept. Charges	\$261,701	\$222,496	\$215,018	\$224,082	\$1,586	0.7%
Fixed Assets	\$0	\$0	\$0	\$0	\$0	N/A
<b>Total Expenditures</b>	<b>\$2,011,849</b>	<b>\$2,165,849</b>	<b>\$2,085,973</b>	<b>\$2,156,697</b>	<b>(\$9,152)</b>	<b>-0.4%</b>
General Government	\$355,843	\$441,554	\$364,604	\$406,687	(\$34,867)	-7.9%
Fine/Licenses	\$0	\$0	\$0	\$0	\$0	N/A
Charges for Services	\$38,741	\$32,500	\$38,000	\$40,000	\$7,500	23.1%
Interdepartmental	\$49,191	\$55,425	\$55,425	\$54,473	(\$952)	-1.7%
Other Revenue (b)	\$52,481	\$49,514	\$49,000	\$112,666	\$63,152	127.5%
<b>Total Revenues</b>	<b>\$496,256</b>	<b>\$578,993</b>	<b>\$507,029</b>	<b>\$613,826</b>	<b>\$34,833</b>	<b>6.0%</b>
<b>Tax Levy(a)</b>	<b>\$1,515,593</b>	<b>\$1,586,856</b>	<b>\$1,578,944</b>	<b>\$1,542,871</b>	<b>(\$43,985)</b>	<b>-2.8%</b>
State funded Prosecutors	19.00	19.00	19.00	16.00	(3.00)	
<b>Position Summary (FTE)</b>						
Regular Positions	31.50	31.50	31.50	31.50	0.00	
Extra Help	1.71	1.36	1.36	1.32	(0.04)	
Overtime	0.07	0.07	0.07	0.05	(0.02)	
<b>Total</b>	<b>33.28</b>	<b>32.93</b>	<b>32.93</b>	<b>32.87</b>	<b>(0.06)</b>	

(a) The 2002 Adopted tax levy was \$1,511,256. Amount shown reflects expenditures less revenues.

(b) The 2004 budget includes \$29,430 of one-time General Fund Balance to partially offset the cost of the Computer Services Coordinator position until the transition to the PROTECT system is completed. The position will be eliminated 30 days after system implementation per amendment to ordinance 158-088.

**Departmental Objectives**

1. Maintain the core services being provided by this office through the narcotics, sensitive crimes, and domestic violence units. While this objective may appear to be “business as usual” or “cost to continue”, in light of the severe fiscal crisis that is occurring on the state level, this truly is the foremost objective of this office for 2004 and beyond.
2. Continue to prepare for the transition to PROTECT (Prosecutor Technical Case Tracking), a State case management system. This state operated system will link the Waukesha County District Attorney’s office with other district attorney’s offices throughout the state to allow greater sharing of data on active cases and defendants currently facing charges in other jurisdictions. (3<sup>rd</sup> Qtr. 2004) \*
3. Seek out and obtain grant or alternative funding to create a pilot diversion program for first-time, non-violent, non-OWI offenders entering the criminal justice system in order to reduce future jail overcrowding from potential recidivists. This program would institute consequences as quickly as possible on offenders to discourage future offenses by an offender. Full implementation of this program will necessitate additional resources for staffing.\*
4. Explore all avenues of alternative funding for legal staff and/or programming this office currently offers and/or contemplates offering in the future, including working with the Safe and Sound program to create and implement a referral program for juveniles referred to the juvenile court for formal delinquency petitions. This program would encompass anger management training, critical thinking, and volunteer and community service. (2<sup>nd</sup> Qtr. 2004)

\* Objectives continued from previous year.

**Major Departmental Strategic Achievements from 7/01/02 to 6/30/03**

1. Fully implemented a computer forensic investigative unit created in partnership with the Waukesha County Sheriff’s Department (and working with other law enforcement entities in coordinated efforts) to address the increased use of computers in criminal activities. This includes an in-service training program to educate law enforcement officers, detectives, and others who have daily contact with computers on what to look for when investigating criminal activities and what procedures to follow in handling a computer that is alleged to have been used in the commission of crimes.
  2. Created a club drug awareness program, utilizing the resources of the DA’s narcotics enforcement unit and the Waukesha County Metro Drug unit, to present to parents and educators to aid in detecting club drug use by individuals. Currently, there is no other education program being offered in Waukesha County addressing the effects of and signs of use of club drugs.
  3. Created an outreach program, within the Sensitive Crimes unit, for senior citizens in Waukesha County to educate and deal with legal issues, such as domestic violence, sexual or financial abuse, and quality of care (safety related) issues that may be unreported. This is intended primarily in senior citizen homes or other residential facilities, including entering into a partnership with the Department of Senior Services, to emphasize education of the public of incidents that should be reported for further investigation.
  4. Created a new discovery procedure to significantly reduce delays in processing cases through the Circuit Court system.
  5. Co-sponsored a child safety conference dealing with safety issues affecting children, primarily bullying in the schools.
  6. Successfully raised funding for implementation of a hip protector program through the Elderly Care Review Task Force, which is co-chaired by this office.
  7. Planned, participated in and implemented the Take the Wheel and Drive Soberly event which demonstrated the dangers and consequences of drinking and driving to teenagers and adolescents.
  8. Partnered with the State Hygiene Lab and numerous Waukesha County police agencies to conduct an international study in Waukesha County dealing with new roadside tests for the drugged driver. This research program will be used to evaluate the effectiveness of roadside tests on the drugged driver.
  9. Participated in numerous presentations, including the creation of a Power Point demonstration dealing with various safety issues in the trucking industry presented at the state association convention.
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## Prosecution

## Program Description

The District Attorney is a constitutional office representing the people of the State of Wisconsin and County of Waukesha in the criminal and civil courts. This area instigates investigations and follows through with prosecutions and convictions for all criminal matters within the jurisdictional boundaries of the Waukesha County District Attorney's Office.



## Performance Measures

OWI Intensive Supervision Program (inception 2/1/99)

2<sup>nd</sup> Offenders

3<sup>rd</sup> & Subsequent Offenders

2002 Actual	2003 Budget	2003 Estimate	2004 Budget	Budget Change
500	480	500	500	20
360	340	312	310	(30)

## Staffing (FTE)

## State Funded Prosecutors

20.57	20.37	20.37	20.31	(0.06)
19.00	19.00	19.00	16.00	(3.00)

Personnel Costs	\$793,017	\$877,365	\$865,344	\$908,823	\$31,458
Operating Expenses	\$373,983	\$418,038	\$368,603	\$352,879	(\$65,159)
Interdept. Charges	\$226,398	\$194,581	\$189,479	\$196,194	\$1,613
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures</b>	<b>\$1,393,398</b>	<b>\$1,489,984</b>	<b>\$1,423,426</b>	<b>\$1,457,896</b>	<b>(\$32,088)</b>
General Government	\$53,866	\$108,520	\$43,550	\$63,600	(\$44,920)
Fine/Licenses	\$0	\$0	\$0	\$0	\$0
Charges for Services	\$38,741	\$32,500	\$38,000	\$40,000	\$7,500
Interdepartmental	\$49,191	\$55,425	\$55,425	\$54,473	(\$952)
Other Revenue	\$52,196	\$49,514	\$49,000	\$55,036	\$5,522
<b>Total Revenues</b>	<b>\$193,994</b>	<b>\$245,959</b>	<b>\$185,975</b>	<b>\$213,109</b>	<b>(\$32,850)</b>
<b>Tax Levy</b>	<b>\$1,199,404</b>	<b>\$1,244,025</b>	<b>\$1,237,451</b>	<b>\$1,244,787</b>	<b>\$762</b>

## Program Highlights

Personnel costs increase \$33,300 due to cost to continue 19.50 FTE positions and decrease \$1,800 for a slight reduction in the use of Temporary Extra Help and Overtime. Temporary Extra Help for 2004 is budgeted at 0.77FTE and Overtime is budgeted at 0.04FTE for this program.

Operating Expenses for 2004 are reduced by \$65,200, mostly from a \$45,000 reduction of PARC Task force funding to better reflect actual program expenditure levels and \$14,500 of tax levy funding for the OWI Intensive Supervision program based on the 2004 budget of the service provider, Wisconsin Correctional Service. Contracted services (the largest component of the 2004 Operating Expenses) expenditures consist of \$60,000 of pass through grant funding for the PARC Task Force, \$47,600 of state reimbursed health and dental cost for prosecutors electing county benefits, \$50,000 of tax levy funded expenditure authority for the OWI Intensive Supervision program, and \$54,500 for a special state drug prosecutor funded by the Byrne Grant through the Sheriff's department. Cost for trial preparation (including witness fees), paralegal assistance, and extradition for 2004 are budgeted at \$84,500, a \$4,500 reduction from 2003.

The 2004 Revenue budget includes funding for the PARC Task Force of \$60,000; Charges for Services photocopying charges of \$40,000; Interdepartmental revenue through the Sheriff's department for the (drug) special prosecutor of \$54,500; Other revenue for the state reimbursement of state prosecutors taking county insurance benefits at a cost of \$47,600 and extradition recoveries of \$7,400. This reflects a revenue decrease of \$45,000 corresponding to the PARC Task Force grant funding expenditure decreases and a \$7,500 increase for photocopy revenue, and a \$4,800 increase for state prosecutor benefit cost reimbursement revenue.

## Victim/Witness

**Program Description**

Wisconsin Statute 950 mandates that victims of criminal offenses are kept informed of case progress to final disposition. Victims and witnesses are prepared for testimony, escorted to court, and assisted in obtaining witness fees and crime victim compensation. Victims also receive assistance with victim impact statements and temporary restraining orders.

**Performance Measures**

	2002 Actual	2003 Budget	2003 Estimate	2004 Budget	Budget Change
Citizens/Officers Spared Unnecessary Summons to Court – Annually	6,161	4,250	5,000	4,800	550
Estimated Cost Avoidance Resulting From Pre-Hearing Subpoena Cancellations	\$308,050	\$212,000	\$250,000	\$240,000	\$28,000

<b>Staffing (FTE)</b>	<b>7.52</b>	<b>7.50</b>	<b>7.50</b>	<b>7.50</b>	<b>0.00</b>
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Personnel Costs	\$288,939	\$321,227	\$323,790	\$344,565	\$23,338
Operating Expenses	\$5,546	\$8,215	\$7,234	\$7,615	(\$600)
Interdept. Charges	\$32,007	\$24,409	\$22,509	\$24,147	(\$262)
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures:</b>	<b>\$326,492</b>	<b>\$353,851</b>	<b>\$353,533</b>	<b>\$376,327</b>	<b>\$22,476</b>
General Government	\$215,609	\$230,003	\$229,796	\$245,538	\$15,535
Fine/Licenses	\$0	\$0	\$0	\$0	\$0
Charges for Services	\$0	\$0	\$0	\$0	\$0
Interdepartmental	\$0	\$0	\$0	\$0	\$0
Other Revenue	\$285	\$0	\$0	\$0	\$0
<b>Total Revenues:</b>	<b>\$215,894</b>	<b>\$230,003</b>	<b>\$229,796</b>	<b>\$245,538</b>	<b>\$15,535</b>
<b>Tax Levy</b>	<b>\$110,598</b>	<b>\$123,848</b>	<b>\$123,737</b>	<b>\$130,789</b>	<b>\$6,941</b>

**Program Highlights**

Chapter 950 revenue is budgeted at 65% of expenditures. The reimbursement is sum-certain state funding which has varied from 63-83%. The reimbursement level varies depending upon the amount of requests submitted by other Victim/Witness programs throughout the state.

**Victim/Witness Fact:**

- ✓ The Victim/Witness Assistance Program handled more than 525 walk-in-requests for assistance with restraining orders in 2002.
- ✓ The Victim/Witness Assistance Program staff handled more than 3,400 new prosecution cases during 2002. That is an average of 523 new cases per Specialist. These are in addition to the hundreds of cases still pending from previous years for which each Victim/Witness Specialist is providing services. Most cases involve more than one crime victim.

## VOCA Grant/Program

**Program Description**

Social workers and volunteers provide 24-hour assistance to victims at the scene of the crime, at the request of law enforcement. Victims receive emotional support, information about the criminal justice system, and referrals to community resources. Grant resources are provided through the Victims of Crime Act (VOCA).

**Performance Measures**

	2002 Actual	2003 Budget	2003 Estimate	2004 Budget	Budget Change
Volunteer Hours Donated to the County	4,000	3,000	4,000	3,000	0
Estimated Cost Avoidance through Volunteer Hours	\$52,000	\$39,000	\$52,000	\$45,000	\$6,000

<b>Staffing (FTE)</b>	<b>2.19</b>	<b>2.06</b>	<b>2.06</b>	<b>2.06</b>	<b>0.00</b>
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Personnel Costs	\$72,894	\$97,031	\$86,242	\$91,199	(\$5,832)
Operating Expenses	\$11,215	\$3,400	\$2,916	\$3,500	\$100
Interdept. Charges	\$2,259	\$2,600	\$2,100	\$2,850	\$250
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures:</b>	<b>\$86,368</b>	<b>\$103,031</b>	<b>\$91,258</b>	<b>\$97,549</b>	<b>(\$5,482)</b>
General Government	\$86,368	\$103,031	\$91,258	\$97,549	(\$5,482)
Fine/Licenses	\$0	\$0	\$0	\$0	\$0
Charges for Services	\$0	\$0	\$0	\$0	\$0
Interdepartmental	\$0	\$0	\$0	\$0	\$0
Other Revenue	\$0	\$0	\$0	\$0	\$0
<b>Total Revenues:</b>	<b>\$86,368</b>	<b>\$103,031</b>	<b>\$91,258</b>	<b>\$97,549</b>	<b>(\$5,482)</b>
<b>Tax Levy</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**Program Highlights**

The VOCA program is a fully funded (100%) grant expenditure reimbursement program that provides assistance and support to crime victims, at the request of law enforcement, the medical examiner's office, and area hospitals and banks.

The Mobile Victim Assistance Program and Homicide Program provided assistance to 793 individual victims of crime during the 2002 grant period.

Volunteers are utilized in order to provide high levels of service with limited grant funding. In 2002, the volunteer hours donated were the equivalent of 1.90 FTE. The cost estimate of volunteers has been adjusted to match the \$15.00 per hour volunteer value used by the grant.

The decrease in personnel costs is due to employees change in health insurance coverage selection for a budget cost decrease of \$10,000 partially offset by cost to continue salary and benefit cost increases.

**Victim Witness Fact:**

**Did You Know** the Mobile Victim Witness (MVA) staff is available 24 hours a day, 7 days a week? Their motto is "Any crime, any time." They have responded to cases of domestic abuse, sexual assault, bank robberies, homicide, battery and many other types of crime.

The Families and Friends of Homicide Victims program produces 2 newsletters a year; the most recent edition was distributed to 298 victims. The support group for family members of homicide victims was attended by 57 people during the past year, the highest number since the inception of the program.



## Administrative Services

## Program Description

The Administrative Services Division is responsible for coordinating and providing efficient administrative/clerical support.

	2002 Actual	2003 Budget	2003 Estimate	2004 Budget	Budget Change
<b>Staffing (FTE)</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>0.00</b>
Personnel Costs	\$201,755	\$210,982	\$211,206	\$222,300	\$11,318
Operating Expenses	\$2,799	\$7,095	\$5,620	\$1,734	(\$5,361)
Interdept. Charges	\$1,037	\$906	\$930	\$891	(\$15)
Fixed Assets	\$0	\$0	\$0	\$0	\$0
<b>Total Expenditures:</b>	<b>\$205,591</b>	<b>\$218,983</b>	<b>\$217,756</b>	<b>\$224,925</b>	<b>\$5,942</b>
General Government	\$0	\$0	\$0	\$0	\$0
Fine/Licenses	\$0	\$0	\$0	\$0	\$0
Charges for Services	\$0	\$0	\$0	\$0	\$0
Interdepartmental	\$0	\$0	\$0	\$0	\$0
Other Revenue(a)	\$0	\$0	\$0	\$57,630	\$57,630
<b>Total Revenues:</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$57,630</b>	<b>\$57,630</b>
<b>Tax Levy</b>	<b>\$205,591</b>	<b>\$218,983</b>	<b>\$217,756</b>	<b>\$167,295</b>	<b>(\$51,688)</b>

(a) The 2004 budget includes \$29,430 of General Fund Balance to partially offset one-time costs of the Computer Services Coordinator position until the transition to the PROTECT system is completed, as the position will be eliminated 30 days after system implementation as included by amendment to ordinance 158-088.



## Program Highlights

This program is staffed by the Office Services Coordinator, Computer Services Coordinator, and Secretary Supervisor positions with personnel cost to continue increase of \$11,300. These positions work cooperatively with management to handle the daily administration of the District Attorney's Office in the areas of general office management and support staff operations. The 2004 budget request is cost to continue with reductions in operating and interdepartmental expenses to reflect budgeting closer to actual expenditure levels.

Revenue budgeted in 2004 includes \$28,200 of interest income on bail forfeitures and \$29,400 of one-time General Fund Balance. The interest on bail forfeitures is added to the District Attorney budget based on the role of the District Attorney in setting the bail and is based on 20% of the interest collected for the last calendar year closed before the budget process (the 2002 year).

In 2004, the District Attorney's Office will continue to work towards the eventual transition from the County's customized Integrated Justice Information System (IJIS) case management system to the State-operated Bureau of Justice Information System (BJIS) case management system known as PROTECT (Prosecutor Technical Case Tracking). Implementation was delayed from 2003 due to state budget and system programming issues. Administrative staff will facilitate this conversion for County support staff personnel.

The County Board has attached a sunset clause to the Computer Services Coordinator position with Enrolled Ordinance #158-088. This position will be abolished 30 days after the implementation of the PROTECT system. The General Fund Balance is budgeted as one-time funding to support the Computer Services Coordinator position until the completion of the transition to the PROTECT system.